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6 Attorney for Leviathan Michael Woodley

7 **UNITED STATES DISTRICT COURT**  
8 **DISTRICT OF NEVADA**

9 UNITED STATES OF AMERICA,  
10 Plaintiff,

11 v.

12 LEVIATHAN MICHAEL WOODLEY,  
13 Defendant.

Case No. 2:21-mj-00950-DJA

ORDER TO CLOSE CASE

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15 IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson,  
16 United States Attorney, and Imani Dixon, Assistant United States Attorney, counsel for the  
17 United States of America, and Rene L. Valladares, Federal Public Defender, and Rick Mula,  
18 Assistant Federal Public Defender, counsel for Leviathan Michael Woodley, as follows:

- 19 1. Mr. Woodley is allowed to withdraw his guilty plea to Count One (Operating a  
20 Motor Vehicle while Under the Influence of Alcohol, 36 CFR § 4.23(a)(1));
- 21 2. Count One is amended to Reckless Driving (36 CFR § 4.2 and NRS §  
22 484B.653);
- 23 3. Mr. Woodley pleads guilty to Amended Count One (Reckless Driving);
- 24 4. The sentence imposed on June 21, 2023, is applied to the Reckless Driving  
25 conviction;
- 26 5. The remaining term of unsupervised probation is terminated, and

1           6.       The above-captioned matter is closed.

2       This Stipulation is entered into for the following reasons:

- 3           1.       Mr. Woodley entered into a Petty Offense Plea Agreement with the United  
4               States on June 21, 2023. (ECF Nos. 24, 25.)
- 5           2.       The parties agreed to recommend that defendant be sentenced to one year of  
6               unsupervised probation with the following special conditions: (i) pay a \$500  
7               fine and a mandatory \$10 penalty assessment; (ii) attend and complete DUI  
8               course and victim impact panel; (iii) complete 8-hour online alcohol awareness  
9               course; (iv) be restricted from Lake Mead National Recreation Area for 6  
10              months; and (v) not violate any local, state, or federal laws. (ECF No. 25 at 2.)
- 11          3.       The parties further agreed that the charge to which Mr. Woodley pleaded  
12               would be reduced to Reckless Driving if he complied with the terms of  
13               unsupervised probation. (ECF No. 25 at 3.)
- 14          4.       On June 21, 2023, this Court sentenced Mr. Woodley pursuant to the parties'  
15               plea agreement.
- 16          5.       Since commencing his term of unsupervised probation, Mr. Woodley has  
17               completed all terms of supervision.

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1           6.       Given that Mr. Woodley has successfully completed all terms and conditions  
2                   of his sentence, the parties jointly request that Mr. Woodley's conviction be  
3                   reduced to Reckless Driving, as described in more detail above; that the  
4                   remaining term of unsupervised probation be terminated; and that the above-  
5                   captioned matter be closed.

6           DATED this 15th day of December, 2023.

7           RENE L. VALLADARES  
8           Federal Public Defender

            JASON M. FRIERSON  
            United States Attorney

9           By /s/ Rick Mula

            By /S/ Imani Dixon

10          RICK MULA  
            Assistant Federal Public Defender

            IMANI DIXON  
            Assistant United States Attorney

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,  
4 Plaintiff,

5 v.

6 LEVIATHAN MICHAEL WOODLEY,  
7 Defendant.  
8

Citation No. 2:21-mj-00950-DJA  
**ORDER**

9  
10 Based on the pending Stipulation of counsel, and good cause appearing therefore, the  
11 Court finds that:

12 1. Mr. Woodley has successfully completed all terms and conditions of his  
13 sentence.

14 **ORDER**

15 IT IS HEREBY ORDERED that Mr. Woodley is allowed to withdraw his guilty plea to  
16 Count One (Operating a Motor Vehicle while Under the Influence of Alcohol, 36 CFR §  
17 4.23(a)(1)).

18 IT IS FURTHER ORDERED that Count One is amended to Reckless Driving (36 CFR  
19 § 4.2 and NRS § 484B.653).

20 IT IS FURTHER ORDERED that Mr. Woodley is guilty of Amended Count One  
(Reckless Driving).

21 IT IS FURTHER ORDERED the sentence imposed on June 21, 2023, is applied to the  
22 Reckless Driving conviction.

23 IT IS FURTHER ORDERED that the remaining term of unsupervised probation is  
24 terminated.  
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1 IT IS FURTHER ORDERED that because Mr. Woodley has completed all terms and  
2 conditions of his sentence and unsupervised probation, this case be closed.

3 DATED this <sup>15th</sup> day of December, 2023.



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5 DANIEL J. ALBREGTS  
6 United States Magistrate Judge  
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